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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

**Stefan Bengtsson**

**Serial No.: 10/799,899**

**Filed: March 12, 2004**

**For: MULTIMEDIA AUDITORY TEST  
INSTRUMENT**

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) **Group Art Unit:** Not Yet Assigned  
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) **Examiner:** Not Yet Assigned  
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**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In accordance with 37 CFR § 1.97 and 1.98, the items identified in this Information Disclosure Statement ("IDS") are brought to the attention of the Office. Copies of US Patents and US Patent Publications are not enclosed, pursuant to the US Patent & Trademark Office waiver of this requirement under 37 CFR § 1.98 (a)(2)(i) for patent applications filed after June 30, 2003.

The items identified in this IDS may or may not be "material" pursuant to 37 CFR § 1.56. The submission thereof by Applicant is not to be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 CFR § 1.97(h)), or even qualifies as "prior art" under 35 USC § 102 with respect to this invention unless specifically designated by Applicant as such.

**CERTIFICATE OF MAILING**

I hereby certify that this paper or fee is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date listed below.

10/8/04  
Date of Deposit

Jocelyn L. Lee  
Jocelyn L. Lee

**INFORMATION DISCLOSURE STATEMENT FILING PROVISION:**

☒ This IDS is believed to be timely in that it is being submitted under 37 CFR § 1.97(b), that is (1) within three months of the filing date of the application, which is not a continued prosecution application filed under § 1.53(d) or (2) within three months of entry of the national stage as set forth in 37 CFR § 1.491; or (3) before the mailing of a first Office action on the merits; or (4) before the mailing of a first Office action after filing a request for continued examination under § 1.114. Thus, no fee is required.

☒ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and charge the fee due under 37 CFR § 1.17(p) to the deposit account referenced below.

☐ However, if the undersigned is in error in this regard, Applicant respectfully requests that the Office consider this IDS as filed under 37 CFR § 1.97(c), if applicable, and a statement under 37 CFR § 1.97(e) is included below, thus no fee is required.

☐ This IDS is being submitted under 37 CFR § 1.97(c), that is after mailing of a first Office action on the merits, but before a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311.

☐ The fee due under 37 CFR § 1.17(p) is submitted herewith.

☐ A statement under 37 CFR § 1.97(e) is included below, thus no fee is required. In the event that this IDS is not received before a Final Action or a Notice of Allowance, then Applicant respectfully requests that the Office consider the filing of these papers to be submitted under 37 CFR § 1.97(d) and charge the fee due under 37 CFR § 1.17(p) to the deposit account below.

☐ This IDS is being submitted under 37 CFR § 1.97(d), that is after a Final Action under 37 CFR § 1.113 or a Notice of Allowance under 37 CFR § 1.311, but before payment of the issue fee. A statement under 37 CFR § 1.97(e) is included below. The fee due under 37 CFR § 1.17(p) is submitted herewith.

**STATEMENT UNDER 37 CFR § 1.97(e):**

☐ Each item contained in this IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.

☐ No item contained in this IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this statement after making reasonable inquiry, no item of information contained in this IDS was known to any individual designated in 37 CFR § 1.56(c) more than three months prior to the filing of this IDS.

**PAYMENT AND/OR AUTHORIZATION TO CHARGE FEES:**

- ☐ A check in the amount of \_\_\_\_\_ is enclosed for the above fee(s).
- ☐ Please charge \_\_\_\_\_ to Deposit Account No. **50-2518** for the above fee(s).
- ☒ Although applicant believes no fee is required, the Commissioner is authorized to charge any fees required by the filing of these papers, and to credit any overpayment to Bingham McCutchen's Deposit Account No. **50-2518**.

Respectfully submitted,

BINGHAM McCUTCHEN LLP

Dated: October 7, 2004

By: \_\_\_\_\_

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**23639**

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## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 1

### Complete if Known

Application Number	10/799,899
Filing Date	March 12, 2004
First Named Inventor	Stefan Bengtsson
Group Art Unit	Not Yet Assigned
Examiner Name	Not Yet Assigned
Attorney Docket Number	2024071-7005362002

### U.S. PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code <sup>2</sup> (if known)			
	1.	US-5,864,781		White	01-26-1999	
	2.	US-5,884,202		Arjomand	03-16-1999	
	3.	US-5,931,791		Saltzstein et al.	08-03-1999	
	4.	US-5,944,659		Flach et al.	08-31-1999	
	5.	US-5,987,519		Peifer et al.	11-16-1999	
	6.	US-6,013,108		Karolys et al.	01-11-2000	
	7.	US-6,055,487		Margery et al.	04-25-2000	
	8.	US-6,126,608		Kemme et al.	10-03-2000	
	9.	US-6,167,138		Shennib	12-26-2000	
	10.	US-6,178,527		Vidales	01-23-2001	
	11.	US-6,213,942		Flach et al.	04-10-2001	
	12.	US-6,238,344		Gamelsky et al.	05-29-2001	
	13.	US-6,241,673		Williams	06-05-2001	
	14.	US-6,377,223		Clapp et al.	04-23-2002	
	15.	US-6440,072		Schuman et al.	08-27-2002	

### FOREIGN PATENT DOCUMENTS

Examiner Initials *	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sub>6</sub>
		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup> (if known)				

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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OC/207884.1